

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

Lawrence Y D HO & Associates
Pte Ltd 30 Bideford Road
#07-01 Thongsa Building
Singapore 229922

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

| | |
|-------------------------------------|--------------|
| Date of mailing (day/month/year) | - 6 JUN 2005 |
|-------------------------------------|--------------|

FOR FURTHER ACTION

See paragraph 2 below

Applicant's or agent's file reference
1440P001PCTJ

| | | |
|---|--|--|
| International application No. PCT/SG2005/000086 | International filing date (day/month/year) 16 March 2005 | Priority date (day/month/year) 25 March 2004 |
|---|--|--|

International Patent Classification (IPC) or both national classification and IPC

Int. Cl. ⁷ A23L 1/325

Applicant

NG HENG CHOON, Jason

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

| | |
|---|---|
| Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. (02) 6285 3929 | Authorized Officer M.R. OLLEY Telephone No. (02) 6283 2143 |
|---|---|

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/SG2005/000086

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 in written format
 in computer readable form
 - c. time of filing/furnishing
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/SG2005/000086

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| Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
|-----------|--|

1. Statement

| | | |
|-------------------------------|---------------------------|-----|
| Novelty (N) | Claims 13-15, 19-21 | YES |
| | Claims 1-12, 16-18, 22-23 | NO |
| Inventive step (IS) | Claims 13-15, 19-21 | YES |
| | Claims 1-12, 16-18, 22-23 | NO |
| Industrial applicability (IA) | Claims 1-23 | YES |
| | Claims | NO |

2. Citations and explanations:

- D1 Derwent Abstract Accession No. 2003-172927/17,
KR 2002080147 (LEE T H)
D2 Derwent Accession No. 2003-172926/17,
KR 2002080146 (LEE T H)
D3 Derwent Accession No. 2002-671730/72,
KR 2002023358 (SUH D J)

D1 and D2 disclose the making of a high nutrient powder using anchovy by washing drying and pulverizing, D1 and D2 disclose all the features of claims 1-12, 16-18 and 22-23, D3 disclose all the features of claims 1-2, 4-7, 11 and 16-17. Therefore claims 1-12, 16-18 and 22-23 are not novel and lack an inventive step.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

| | | | |
|---|---|--|---|
| Applicant's or agent's file reference 1440P001PCTJ | FOR FURTHER ACTION | | see Form PCT/ISA/220 as well as, where applicable, item 5 below. |
| International application No. PCT/SG2005/000086 | International filing date (<i>day/month/year</i>) 16 March 2005 | (Earliest) Priority Date (<i>day/month/year</i>) 25 March 2004 | |
| Applicant NG HENG CHOON, Jason | | | |

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of **2** sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

Certain claims were found unsearchable (See Box No. II).

3. Unity of invention is lacking (See Box No. III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No.

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

- b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/SG2005/000086

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl.?: A23L 1/325

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

A23L 1/325, 1/326, 1/32, 1/00

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
DWPI + KW(ANCHOV+ and ((ARSENIC or COPPER or LEAD or CADNIUM or HEAVY METAL))

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|--|------------------------|
| X | Derwent Abstract Accession No. 2003-172927/17, Class D13, KR,A,2002080147 (LEE T H) 23 October 2002 | 1-12, 16-18, 22-23 |
| X | Derwent Abstract Accession No. 2003-172926/17, Class D13, KR,A,2002080146 (LEE T H) 23 October 2002 | 1-12, 16-18, 22-23 |
| X | Derwent Abstract Accession No. 2002-671730/72, Class B04 D13, KR,A,2002023358 (SUH D J) 28 March 2002 | 1-2, 4-7, 11, 16-17 |

 Further documents are listed in the continuation of Box C See patent family annex

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| * Special categories of cited documents: | | |
| "A" document defining the general state of the art which is not considered to be of particular relevance | "T" | later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention |
| "E" earlier application or patent but published on or after the international filing date | "X" | document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone |
| "L" document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "Y" | document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art |
| "O" document referring to an oral disclosure, use, exhibition or other means | "&" | document member of the same patent family |
| "P" document published prior to the international filing date but later than the priority date claimed | | |

Date of the actual completion of the international search
31 May 2005Date of mailing of the international search report
- 6 JUN 2005

Name and mailing address of the ISA/AU

Authorized officer

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